

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JANE DOE,  
Plaintiff,

vs.

HILLSTONE RESTAURANT GROUP,  
INC. d/b/a R & D KITCHEN,  
Defendant.

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CIVIL ACTION NO. \_\_\_\_\_

**NOTICE OF REMOVAL**

HILLSTONE RESTAURANT GROUP, INC. d/b/a R & D KITCHEN is the Defendant (hereinafter "Defendant," or "Hillstone") in a civil action filed on May 7, 2020 in the 116<sup>th</sup> Judicial District Court of Dallas County, Texas, entitled Jane Doe, Plaintiff vs. Hillstone Restaurant Group, Inc., d/b/a R & D Kitchen, Defendant.

1. Defendant was notified of the Petition, Amended Petition and Application for TRO in this action were served on May 7, 2020 via email. This Notice of Removal is filed within 30 days of Defendant's receipt of the Petition and is timely filed under Rule 28 U.S.C. §1446(b).

2. Plaintiff is a citizen and resident of Texas. Defendant is a Delaware corporation with its principal place of business in Phoenix, Arizona.

3. This action may be removed pursuant to 28 U.S.C. §1441(a) because it is a civil action brought in a state court of which the District Courts of the United States have original jurisdiction and Defendant consents to the removal of the action from state court.

4. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332(a)(1) because the amount in controversy exceeds \$75,000, exclusive of interest and costs, and the action is between citizens of different states.

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**NOTICE OF REMOVAL**

5. By virtue of 28 U.S.C. § 1441(a), venue of this action is properly in the United States District Court for the Northern District of Texas, Dallas Division, which are the district and division embracing Dallas County, Texas, where the civil State Court action was filed.

### **NOTICE**

6. Simultaneously with the filing of this Notice of Removal, Defendant is giving written notice to Plaintiff's attorney of the filing of this Notice and are filing a copy of this Notice with the Clerk of the District Court of Dallas County for filing with the papers of the Plaintiff's suit there, and by their Certificate of Notice of filing give proof of the filing of said notice with the Court.

7. Pursuant to 28 U.S.C.A. § 1446(a), Defendant has attached hereto copies of all process and pleadings served to filing of this Notice of Removal.

8. A true and correct copy of Plaintiff's Original Petition and Application for Temporary Injunction and Temporary Restraining Order addressed to Defendant in Defendant's possession are attached and marked as Exhibit "A." There are no orders signed by the state Judge attached because no such orders have been entered as of the date of the filing of this Notice of Removal.

### **PRAYER**

WHEREFORE, PREMISES CONSIDERED, pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1332, Defendant removes this action from the District Court of Dallas County, Texas to this Court on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

### **CERTIFICATE OF NOTICE**

Defendant HILLSTONE RESTAURANT GROUP, INC. d/b/a R & D KITCHEN certifies that on \_\_\_\_\_, 20\_\_\_\_, a copy of the Notice of Removal of this action was filed with the Clerk of the 116<sup>th</sup> Judicial District Court of Dallas County and that written notice of filing of the Notice of Removal was served the attorneys of record for Plaintiff in this action. Attached to the

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**NOTICE OF REMOVAL**

Notices were copies of the Notice of Removal. Removal of this action is effective as of that date, pursuant to 28 U.S.C. § 1446.

Respectfully submitted,



**ROGGE DUNN**

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Dallas, Texas 75201

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Facsimile: (214) 220-3833

**ATTORNEY FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above and foregoing instrument was served on all the Parties' counsel of record pursuant to the Rules, on the 7th day of May, 20 20, addressed as follows:

Charla G. Aldous, Esq.  
Brent R. Walker, Esq.  
Aldous\Walker LLP  
4311 Oak Law Ave., Suite 150  
Dallas, TX 75219

- ☒ **VIA ECF**
- ☐ **VIA PORTAL**
- ☐ **VIA OVERNIGHT MAIL**
- ☐ **VIA HAND-DELIVERY**
- ☐ **VIA FIRST CLASS MAIL**
- ☐ **VIA FAX: 214-526-5525**
- ☐ **VIA EMAIL: [CALDOUS@ALDOUSLAW.COM](mailto:CALDOUS@ALDOUSLAW.COM)**
- ☐ **VIA EMAIL: [BWALKER@ALDOUSLAW.COM](mailto:BWALKER@ALDOUSLAW.COM)**
- ☐ **VIA CMRRR:**

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**ROGGE DUNN**

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**NOTICE OF REMOVAL**